

AF/3625  
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**AMENDMENT TRANSMITTAL**

**PATENT**

Application No.: 09/920,592  
Filing Date: 07/31/2001  
First Named Inventor: Brian Bodmer, et al.  
Examiner's Name: Shah, Ameer A.  
Art Unit: 3625  
Attorney Docket No.: 6783.P023

- ☐ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- ☐ Applicant(s) claim small entity status (37 CFR 1.27).

**ATTACHMENTS**

- ☐ Preliminary Amendment
- ☐ Amendment/Response with respect to Office Action
- ☐ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- ☐ Notice of Appeal
- ☐ RCE (Request for Continued Examination)
- ☐ Supplemental Declaration
- ☐ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- ☐ Information Disclosure Statement (IDS)
- ☐ Copies of IDS citations
- ☐ Petition for Extension of Time
- ☐ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- ☐ Cross-Reference to Related Application(s)
- ☐ Certified Copy of Priority Document
- ☒ Other: Replacement Section for Appeal Brief Under 37 C.F.R. 41.37(c)(2) (5 pages)
- ☐ Other: \_\_\_\_\_
- ☐ Check
- ☒ Postcard (Return Receipt)

**SUBMITTED BY:**

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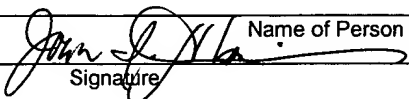
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In Re Application of:

Brian Bodmer et al.

Application No: 09/920,592

Filing Date: July 31, 2001

For: INTEGRATED SHOPPING CART  
FOR SALE OF THIRD PARTY  
PRODUCTS AND SERVICES VIA  
THE INTERNET

Examiner: Amee A. Shah

Art Unit: 3625

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**REPLACEMENT SECTION FOR APPEAL BRIEF UNDER 37 C.F.R. § 41.37(c)(2)**

This paper is submitted in regards to an appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner of Group 3625, dated May 3, 2006, which finally rejected claims 1-19, 58-61, 64-67, and 73-39 in the above-identified application.

This paper includes a replacement section for the Summary of the Claimed Subject Matter section in which independent claims 58 and 67 have been mapped to the specification by page and line number, and to the figures. A complete replacement appeal brief has not been submitted as directed by MPEP § 1205.03. No other information is included in this paper. This paper is hereby submitted pursuant to 37 C.F.R. § 41.37(c)(2) and MPEP § 1205.03.

## **V. SUMMARY OF CLAIMED SUBJECT MATTER**

Appellants' invention as claimed in claims 1-19 and 58-79 is directed to a system that enables an e-commerce retailer to display, sell, and arrange fulfillment of orders for items of third party vendors through the e-commerce retailer's own internet site. This system seamlessly presents items of the e-commerce retailer with third party supplier items to users for on-line commerce (Specification, page 10, line 2 to page 13, line 2; page 18, lines 22-25).

Independent claim 1, and dependent claims 2-19 that depend from independent claim 1, claims a method for an e-commerce retailer to display and sell items of a third party, including: identifying one or more items of a third party with a unique identifier (Specification, page 10, line 7-17; page 11, lines 6-25; Figure 3; ); associating the unique identifier of the item with an image of the item, said image residing on a computer maintained by the third party (Specification, page 19, lines 6-16; Figure 3); presenting at least some of the images of third party items to a user for on-line commerce, said images being retrieved from said computer maintained by the third party (Specification, page 19, lines 6-16; page 24, line 19 to page 25, line 26; Figures 3 and 4); in response to an order request from the user for one or more items, identifying, based at least in part on said unique identifier, each item requested and an appropriate third party for each requested item (Specification, page 25, line 11 to page 26, line 18; Figures 4); and automatically generating an order for each request item to be transparently sent to the third party (Specification, page 11, line 26 to page 12, line 7, page 25, line 11 to page 26, line 18; Figures 4).

Dependent claim 12 further claims a given third party provides Uniform Resource Locators (URLs) for images in various sizes and formats (Specification, page 25, lines 19-26). The URLs for images in various sizes and formats thus enable the retrieval and display of images to the user in various sizes and formats (Specification, page 22, lines 9-19; page 25, lines 19-26; Figure 4).

Independent claim 58 and dependent claims 59-66, which depend from claim 58, claim the invention as a system (Specification, page 20, line 5 to page 24, line 17; page 38, line 45 to page 41, line 10; Figures 3-4). Independent claim 67 and dependent claims 68-75, which depend from claim 67, claim the invention as a system (Specification, page 20, line 5 to page 24, line 17; page 38, line 45 to page 41, line 10; Figures 3-4).

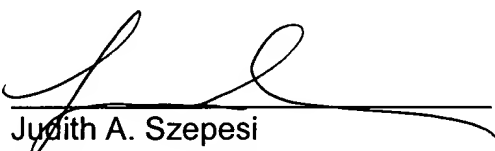
Independent claim 76 and dependent claims 77-79, which depend from claim 76, claim the invention as a system. Additionally independent claim 76 includes an extensible markup language (XML) request logic to retrieve the data about the one or more items from a third party supplier website (Specification, page 32, line 6 to page 34, line 37; Figure 4); the XML request logic enables an e-commerce logic to present the data to the user for the on-line commerce (Specification, page 23, line 11 to page 24, line 17; page 24, line 19 to page 27, line 2).

## CONCLUSION

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Appellants hereby request such extension.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 11/20/06



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